

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

FILED

2010 JAN 14 PM 3:00

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Case No. 09GR4228-JM

v.

JUDGMENT AND COMMITMENT

BY

DEPUTY

FRANCISCO JAVIER GARDUNO-ALBANEZ

SARAH GORMAN, FD

Defendant's Attorney

REGISTRATION NO. 16837298

VIOLATION: 8 USC 1325 - ILLEGAL ENTRY (Misdemeanor)

- ☒ Defendant pleaded guilty to count 1 of the Superseding Information.
- ☒ Count(s) ONE OF THE INFORMATION dismissed on the government's oral motion.
- ☐ Underlying \_\_\_\_\_ dismissed on the government's oral motion.

**JUDGMENT AND COMMITMENT**

- ☒ Defendant is adjudged guilty on count one of the Superseding Information.

The defendant is hereby committed to the custody of the United States Bureau of Prisons for a term of  
THREE (3) MONTHS

☐ SUPERVISED Release for a term of \_\_\_\_\_

on the following conditions:

- ☐ obey all laws, Federal, State and Municipal
- ☐ comply with all lawful rules and regulations of the probation department
- ☐ not possess any narcotic drug or controlled substance without a lawful medical prescription
- ☐ not transport, harbor or assist undocumented aliens
- ☐ not reenter the United States illegally
- ☐ not possess any firearm, destructive device or any other dangerous weapon
- ☐ submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer
- ☐ the court waives the mandatory drug testing condition based on the court's determination that the defendant poses a low risk of future substance abuse.


- ☒ Penalty assessment of \$ 10.00 - Remitted.
- ☒ Fine waived \_\_\_\_\_ Fine of \$ \_\_\_\_\_

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

January 12, 2010

Date of Imposition of Sentence



RUBEN B BROOKS  
UNITED STATES MAGISTRATE JUDGE  
Entered on: